

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

In Re

MANUEL RAUL REYO PENA GARCIA MONTERO

)
)
) 1:12-cv-00011-JAW
)

RECOMMENDED DECISION
RE: MOTION TO PROCEED *IN FORMA PAUPERIS*

The plaintiff, a prisoner at a federal penitentiary in Florida who indicates he is known as Reyes Pena, has filed a pleading with this Court asking for an “immediate order of constitutional criminal injunction upon the elected 44th President of the United States,” an “immediate order of constitutional criminal injunction upon all elected federal official”[s] in the Congress, a redrawing of “federal district area by the several state legislatures of 10 equal congressional areas,” and an “immediate order of constitutional dismissal upon all laws.” Reyes Pena’s pleading is accompanied by four inexplicable exhibits and an application to proceed in forma pauperis. He purports to name as defendants the “Chief Commander of the United States,” the vice-president, and “All Gov of States.” It is impossible to attempt to characterize this document in any meaningful fashion.

I have screened Reyes Pena's submission pursuant to 28 U.S.C. § 1915(e)(2)(B) and § 1915A(b) and conclude that it is frivolous on its face. Therefore, I decline to grant Reyes Pena *in forma pauperis* status. I recommend that the Court deny him *in forma pauperis* status and dismiss the complaint pursuant to 28 U.S.C. § 1915(e)(2).

NOTICE

A party may file objections to those specified portions of a magistrate judge's report or proposed findings or recommended decisions entered pursuant to 28 U.S.C. § 636(b)(1)(B) for which *de novo* review by the district court is sought, together with a supporting memorandum, within fourteen (14) days of being

served with a copy thereof. A responsive memorandum shall be filed within fourteen (14) days after the filing of the objection.

Failure to file a timely objection shall constitute a waiver of the right to *de novo* review by the district court and to appeal the district court's order.

/s/ Margaret J. Kravchuk
U.S. Magistrate Judge

January 11, 2012